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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/489,817      | 01/24/2000  | Muhammed Habibur Rahman | 674550-2001         | 6308             |

20999 7590 07/01/2003

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

MCELWAIN, ELIZABETH F

| ART UNIT | PAPER NUMBER |
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1638

DATE MAILED: 07/01/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

The amendment filed April 16, 2003 has been entered.

Claims 36-109, 117, 118, 121, 122, 125, 126, 129 and 130 have been cancelled.

Claims 110-115, 119, 123 and 127 remain pending.

The replies filed on April 16, 2003 are not fully responsive to the prior Office action  
5 because of the following omission(s) or matter(s):

Applicants have filed a CPA request, which is marked as a continuation, *not* as a  
divisional application. Applicants have cancelled all claims drawn to the elected invention.  
Applicants state that "applicant may change a previous election in a CPA". However,  
applicant is directed to MPEP 819, which states that the conditions for pursuing a different  
10 elected invention in a CPA are A) when the CPA is filed as a divisional, or B) where a  
continuation includes an amendment adding claims to an invention not previously elected. In  
the present request for CPA, neither of these has been provided.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant  
is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice,  
15 whichever is longer, within which to supply the omission or correction in order to avoid  
abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER**  
37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the  
20 examiner should be directed to Elizabeth F. McElwain whose telephone number is (703) 308-  
1794. The examiner can normally be reached on Monday through Friday from 8:00 AM to  
4:30 PM.

Serial No. 09/489,817  
Art Unit 1638

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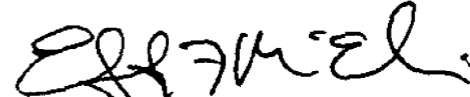
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (703) 306-3218. The fax phone number for this Group is (703) 308-4242. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

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Any inquiry of a general nature or relating to the status of this application should be directed to the CUSTOMER SERVICE TECH CENTER 1600, whose telephone number is (703) 308-0198, or to the Group receptionist whose telephone number is (703) 308-0196.

10

Elizabeth F. McElwain, Ph.D.  
June 28, 2003

  
**ELIZABETH F. McELWAIN**  
**PRIMARY EXAMINER**  
**GROUP 1600**